

Expedited Periodic Review Procedure

660-19-095 (1) Local governments who satisfy one or more of the following are eligible for the expedited periodic review procedure. The expedited review process applies to:

(a) Cities with a population under 2,500 within the urban growth boundary;

(b) Counties with a total population under 5,000; and

(c) Counties within which there are no cities with a population over 2,500 within the urban growth boundary.

(2) The Director shall utilize current census information including information from the Center for Population Research at Portland State University and consult as necessary with the applicable jurisdictions in identifying the affected local governments eligible for the expedited procedure. In case of conflicts over population figures, the Director's decision will be final.

(3) In response to its periodic review notice, a local government classified by the Director to be eligible for expedited review has three choices.

X (a) The first choice is to submit a letter requesting delay in periodic review to the next review cycle. The letter must explain that substantial changes in circumstances have not occurred and therefore the plan continues to provide adequate guidance for land use decisions until the next review cycle; and what steps have been or will be taken to assure the plan is consistent with new or amended statutes, Statewide Planning Goals or administrative rules adopted since acknowledgment.

(b) The second choice is to submit a copy of its plan and land use regulations for DLCD review without a local periodic review order. DLCD would then have up to one year to conduct its review and inform the local government of any changes needed to meet periodic review requirements. As part of this review, the Director may determine that no periodic review is required as outlined under subsection (a) of this section and reschedule the review for the next cycle of periodic reviews; or

(c) The third choice is to follow the complete periodic review process as if the jurisdiction did not qualify for expedited review.

(4) Under subsections (3)(a) and (b) above, notice of the initial submittal or request will be given as if the submittal were a final order pursuant to ORS 197.641(3). Persons who receive notice under this provision have thirty (30) days to submit objections to DLCD. Following review of the submittal or request and objections, the Director will issue a report and determination, including requirements which the local government must meet to qualify for a delay to the next review cycle. The local government and any objectors then have an opportunity to appeal DLCD's report to the Commission pursuant to OAR 660-19-085(3) and 660-19-090. Required changes must be submitted pursuant to requirements of OAR 660-19-085.

(5) The Director's decision on periodic review for expedited review jurisdictions shall be based on the following criteria:

(a) Whether substantial changes in circumstances exist that result in an inadequate planning framework for decision making until the next scheduled periodic review;

(b) Whether the plan and land use regulations are or will be made consistent with current state statutes, Statewide Planning Goals and LCDC administrative rules.

(6) Appeals of the Director's decision, in section (4) shall be based on criteria outlined in section (5).

DB:drw
<pr>